

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

School Education – Relaxation of Rule 6 (1) A.P. Educational Institutions (Establishment, Recognition, Administration and Control of Private Management Schools) Rules, 1993 – Temporary Permission to the Private Schools running without permission for the academic year 2009-10 in Visakhapatnam District - Orders - Issued.

EDUCATION (SE.PS I) DEPARTMENT

G.O.Rt.No. 517

Date: 02-9-2009

Read the following:

1. G.O.Ms.No.1, Education, dated 1.1.1994
2. Interim orders of the Hon'ble High Court in W.P.No. 11007/2009 dated 17-8-2009 and 24-8-2009
3. The Lr.Rc.No.1806/C5/2006, dated 22.08.2009 of the District Educational Officer, Visakhapatnam
4. Letter Rc.No.1806/C5/2006, dated 26-8-2009 of the District Collector, Visakhapatnam
5. Letter Rc.No.1806/C5/2006, dated 29-8-2009 of the District Educational Officer, Visakhapatnam.

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ORDER:-

A public interest litigation case in W.P. No. 11007/2009 was filed by Sri Srisailam Ramesh, Visakhapatnam district before the Hon'ble High Court of Andhra Pradesh contending that there are many unrecognized private schools running in Visakhapatnam district. The W.P. came up for hearing on 17.08.2009 and the Hon'ble High Court in the interim Orders has ordered to close down all the unrecognized private schools in Visakhapatnam district within 3 days and submit compliance report by 24.08.2009.

2. In pursuance to the orders of the Hon'ble High Court in the reference 2nd read above, Government issued instructions vide Memo.No.14666/PS.I/2009, dated: 17.08.2009 to the DEO, Visakhapatnam / RJD, Kakinada to close down all the unrecognized private schools which are running without permission/ recognition in Visakhapatnam district within 3 days and to file police complaint in the respective jurisdiction of the police stations.

3. The High Court in its interim orders in W.P.No. 11007/09 dated: 24.08.2009 ordered as follows:-

“No Educational Institution shall be permitted to function in Visakhapatnam District, which has not been granted permission under Section 20 of the A.P. Education Act, 1982. The 1st respondent shall file an affidavit by the next date of hearing as to the action taken to comply with the order of this Court dt. 17.08.2009 as modified by this order. The affidavit of the 1st respondent shall contain detailed information as to the action taken on any pending applications for permission under Section 20 or for recognition under Section 21 of the Act including an application by the petitioner in W.P. No. 17500 of 2009”

4. Government again issued instructions vide Memo.No.14666/PS.I/2009, dated: 24.08.2009 to the DEO, Visakhapatnam for closing down all private schools without permission of competent authority. The District Educational Officer, Visakhapatnam in turn has issued instructions in his office Procs. Rc. No.1806/C5/2009 dt. 26.08.2009 to the Mandal Educational Officers/Dy.

Educational Officers once again to ensure that all the private schools are closed which are running without permission and to submit compliance report immediately.

5. The District Educational Officer, Visakhapatnam has informed to the Government in the reference 5th read above that 573 schools without permission have been identified in Visakhapatnam District, out of which 219 schools have been closed down and 573 Police complaints have been filed against the management of schools in the respective Police Stations. Out of 573 schools, 72 old proposals are pending since 2 years for grant of permission of school in the office of the District Educational Officer, Visakhapatnam due to non-fulfillment of the conditions from the management and 74 new proposals have been received recently. 208 representations have been received on 27-8-2009 from the management of private schools without permission with a request to consider and accord permission conditionally and further stated that they will fulfill all conditions as prescribed by the Government at the time of granting recognition.

6. The District Educational Officer, Visakhapatnam District has informed in the reference 3rd read above that 1,80,000 students are studying in this academic year in these private schools which are running without permission in Visakhapatnam District.

7. The District Collector, Visakhapatnam has informed the Government in the reference 4th read above that students are studying in different classes from 1 to 10th class and unemployed youth are working as teachers in those schools, if suddenly the schools are closed the students as well as Unemployed youth will face hardship. The managements of the unrecognized schools are now submitting proposals to the DEO, Visakhapatnam for according permission during the academic year 2009-10 and requesting to consider the cases for according permission. He informed that as per rule 6(1) of G.O.Ms.No.1, Edn, dt.01.01.1994 the last date for submission of proposals for opening permission during the academic year 2009-10 is 31.10.2008. Hence there is no provision to consider the proposals for according opening permission during 2009-10 at present. The District Collector, Visakhapatnam has requested the Government to relax Rule 6(1) of G.O.Ms.No.1 of Education, dt. 01.01.1994 as a special case in view of the future of the students and employees of unrecognized private schools so as to consider the proposal submitted by the management of unrecognized schools in the month of September 2009 for according permission during the academic year 2009-10.

8. In the circumstance stated above, Government have examined the matter and decided to relax rule 6(1) of A.P. Educational Institutions (Establishment, Recognition, Administration and Control of Private Management Schools) Rules, 1993 in favour of management of private schools of Visakhapatnam District as a special case in view of the academic future of the students and direct the DEO, Visakhapatnam/ RJDSE, Kakinada to grant temporary permission to the private schools for the current academic year 2009-10 subject to fulfilling the following conditions.

1. Payment of Application fees without late fee
2. Deposit of endowment fund
3. Provision of adequate accommodation
4. Adequate Safe drinking water facility
5. Adequate sanitary facility
6. Grills to the Balconies
7. Adequate fire safety equipment as suggested by Fire Service Department
8. Structural soundness of the building certificate

9. The management of private schools which are running without permission in Visakhapatnam district are also permitted to submit applications seeking

permission for establishment of Schools to the competent authority within 30 days and the competent authority may grant temporary permission only for the academic year 2009-10 subject to fulfilling the conditions stated above at para-(8) and also meeting all other requirements as specified in the reference 1st read above before the closure of academic year 2009-2010.

10. The Commissioner & Director of School Education, A.P., Hyderabad / Regional Joint Director of School Education, Kakinada / District Educational Officer, Visakhapatnam are requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SURESH CHANDA
SECRETARY TO GOVERNMENT

To
The Commissioner & Director of School Education, AP Hyderabad
The District Educational Officer, Visakhapatnam
The Regional Director of School Education, Kakinada, East Godavari
The District Collector, Visakhapatnam
The Additional Advocate General, AP High Court, AP Hyderabad
PS to Hon'ble Minister for Secondary Education
PS to Secretary to Government (SE), School Education Department
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER